

Robinson B. Lacy (RL8282)
Jeffrey T. Scott (JS5014)
Yannick Carapito (YC7480)
Jonathan Sedlak (JS3769)
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, NY 10004
(212) 558-4000

Attorneys for Defendant Barclays Capital Inc.

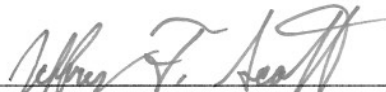
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LUMINENT MORTGAGE CAPITAL,	:	
INC., <i>et al.</i> ,	:	
	:	
Plaintiffs,	:	07 CIV 10275 (RMB)
v.	:	
BARCLAYS CAPITAL INC.,	:	BARCLAYS CAPITAL INC.'S
	:	NOTICE OF
Defendant.	:	MOTION TO DISMISS
	:	
-----	X	

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law of Barclays Capital Inc. in Support of Its Motion to Dismiss, dated January 7, 2008, and the Affidavit of Jeffrey T. Scott, dated January 7, 2008, including the exhibits attached thereto, Barclays Capital Inc. will move this Court, before the Honorable Richard M. Berman, at a time and place to be determined by the Court, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, for an Order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing plaintiffs' claims for breach of the implied covenant of good faith and fair dealing, unjust enrichment,

accounting, and punitive damages, and for such further and other relief that the Court may deem just and proper.

Dated: New York, New York
January 7, 2008


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*Attorneys for Defendant
Barclays Capital Inc.*

CERTIFICATE OF SERVICE

I hereby certify that I am admitted to the Bar of this Court and that, on January 7, 2008, true copies of the foregoing **BARCLAYS CAPITAL INC.'S NOTICE OF MOTION TO DISMISS**, dated January 7, 2008, were served by hand on Micheal E. Petrella, Esq., O'Shea Partners LLP, 90 Park Avenue, 20th Floor, New York, New York 10016.



Jonathan M. Sedlak